

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**BRIAN SWIENCINSKI,  
SCOTT BREIMEISTER,  
CHRISTOPHER INCE, and  
RONNIE MCADA,**

**Defendants.**

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**Criminal No. 18-CR-368**

**ORDER**

The Court has considered the United States' Opposed Motion Clarification of Application of the Speedy Trial Act as to Defendants Ince & McAda (DE 573). The Court finds that, pursuant to 18 U.S.C. § 3161(h)(1), 18 U.S.C. § 3161(h)(6), and 18 U.S.C. § 3161(h)(7), and the reasons stated in the United States' motion, failure to exclude time under the Speedy Trial Act between May 4, 2023, and the date on which this Court receives the mandate from the Fifth Circuit Court of Appeals would result in a miscarriage of justice; the ends of justice are served by excluding such time due to the complexity of this multi-count, multi-defendant, sophisticated alleged fraud; and such action outweighs the best interest of the public and the defendants in a speedy trial. The Motion is GRANTED.

It is ORDERED that a period of excludable delay shall consist of the period starting on May 4, 2023, and continuing through the date on which the Fifth Circuit Court of Appeals issues its mandate with respect to any appeal of this case.

It is so ORDERED.

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Date

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The Honorable Alfred H. Bennett  
United States District Judge